

REMARKS

[0003] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1, 3-11, 13-18 and 20-23 are currently pending
- Claims 2, 12, and 19 previously canceled
- Claims 1, 16, 17, and 22 are amended herein

Cited Documents

[0004] The following documents have been applied to reject one or more claims of the Application:

- Klevenz: Klevenz et al., U.S. Patent Application Publication No. 2003/0137540
- Baker: Baker et al., U.S. Patent Application Publication No. 2002/0047856

Claims 1, 3-11, 13-18 and 20-23 Are Non-Obvious Over Klevenz in view of Baker

[0005] Claims 1, 3-11, 13-18 and 20-23 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Klevenz in view of Baker. Applicant respectfully traverses the rejection.

Independent Claim 1

[0006] The Examiner indicates (Action, p. 4-5) the following (in pertinent part) with regard to independent claim 1:

Baker discloses a method of providing web-based stacked images (i.e. collection of data items) includes providing a database of image data, the image data representing a plurality of separate images, displaying at least a portion of the plurality of separate images, creating a stack of image data by individually selecting images from the displayed images, wherein each time an image is selected, the image data representing the selected image is pushed onto the stack of image data (i.e., moving the selected information of the image to the front of the stack); and the stack of image data including information defining an order in which the selected images are to be displayed and assigning a tag to the stack of image data, uniquely identifying the stack of image data, the tag being included in the stack of image data (Abstract, Fig. 1). Baker discloses displaying selected images and data selection in two steps (Step 1) and an unrelated image (Step 2). Baker's applications are different application program images (App. 2003, Par. 1002).

[0007] The cited art, and specifically Baker, does not describe each and every recital of independent claim 1, which is copied below (in pertinent part) (with emphasis added):

at least one display object having metadata tags describing two or more collections of data items, each collection of data items being a differing application, wherein the at least one display object is a **graphical representation** of the two or more collections of data items comprising the **differing applications**;

[0008] Rather, Baker describes at [0015]:

[0015] A method of providing web-based stacked images, comprises providing a database of image data, the image data representing a plurality of separate images and displaying at least a portion of the plurality of separate images. A stack of image data is created by individually selecting images from the displayed images, wherein each time an image is selected, the image data representing the selected image is pushed onto the stack of image data, the stack of image data including information defining an order in which the selected images are to be displayed. A tag is assigned to the stack of image data, uniquely identifying the stack of image data, the tag being included in the stack of image data. The method may further comprise selecting additional information to be included with the stack of image data, the additional information relating to the images in the stack of image data. The additional information may include tags correlating portions of the additional information to corresponding images. A portion of the additional information corresponding to an image on a top of the stack may be displayed when each image is displayed on the top of the stack. The image may comprise magazine cover images. The additional information may further describes contents of magazines represented by the magazine cover images. The additional information may comprise a website address on the Internet which includes information further describing contents of magazines represented by the magazine cover images. The additional information may comprise a hyperlink. The stack of image data may be created in response to a request by a user. The order in which the selected images are to be displayed can vary from user to user, based on information included in the request. The images selected to be included in the stack can vary from user to user, based on information included in the request. The information included in the request is in a form of a cookie retrieved from the user's computer. The information included in the request may be used to retrieve user preference information from a database of user preference information.

[0009] Further, Baker describes at [0043]:

[0043] The convention associated with the type of delivery mechanism described herein is referred to herein as the stack. The stack is a data structure having the ease and convenience of a first-in last-out (FILO) device. As will be described in more detail below with respect to FIG. 1, stacks are built on a web-based remote server 44, using raster bitmapped graphic images controlled by application program interfaces (API) and are primarily intended for viewing by users on personal computers such as a local computer 36. Although, described herein using bitmapped graphic images, the use of images presented using other types of formats including grid-based character protocols are also contemplated.

[0010] Thus, the cited art of Baker merely describes images controlled by an application program interface (API). More specifically, Baker describes "using raster bitmapped graphic images controlled by application program interfaces (API). See [0043]. The images of Baker are controlled by an API are not a graphical representation of the API. On the other hand, Applicant's claim 1 recites the at least one display object is a graphical representation of the two or more collections of data items comprising the differing application. Baker is completely silent with respect to the images being graphical representations of differing applications. Moreover, Baker describes the images being controlled by an API, and not an application.

[0011] Baker also describes "The method may further comprise selecting additional information to be included with the stack of image data...The additional information may comprise a hyperlink." See [0015]. The additional information of Baker does not include being a graphical representation of an application, rather it is a hyperlink.

[0012] To that end, it is respectfully contended that Baker does not teach, describe, recite or suggest all of the elements and features of independent claim 1. Further, the remaining cited art does not overcome the deficiencies of Baker. Thus, Baker and Klevenz, alone or in combination, do not teach, describe, recite or suggest all of the elements and features of independent claim 1. Accordingly, Applicant asks the Examiner to withdraw the rejection of independent claim 1.

Remaining Pending Claims

[0013] In addition to their own merits, dependent claims 3-11 and 13-15 are allowable for at least similar reasons that independent claim 1 is allowable and further are allowable for their dependence on an allowable base claim. Applicant therefore requests that the Examiner withdraw the rejection of dependent claims 3-11 and 13-15. Accordingly, Applicant asks the Examiner to withdraw the rejection of claims 3-11 and 13-15.

[0014] Further, Applicant respectfully contends that the arguments set forth above with respect to independent claim 1, as amended, applies with similar weight to independent claims 16, 17, and 22, as amended, and the cited art does not teach, describe, recite, or suggest all of the claimed elements and features of independent claims 16, 17, and 22, as amended. Accordingly, Applicant asks the Examiner to withdraw the rejection of independent claims 16, 17, and 22. Further, dependent claims 18, 20-21, and 23 are allowable for at least the similar reasons as the independent claims from which they depend are allowable and further are allowable for their dependence on an allowable base claim. Applicant requests that the Examiner withdraw the rejection of dependent claims 18, 20-21, and 23.

Conclusion

[0015] For at least the foregoing reasons, all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.

[0016] If any issues remain that would prevent allowance of this application, Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.

Respectfully Submitted,

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